

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Legal Sea Foods, LLC
t/a Legal Sea Foods
704 7th Street NW
Retailer CR
License No. 60194

Show Cause
Hearing
(Status)

Case No. 14-CMP-00712

May 13, 2015

The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,
Reeves Building, 2000 14th Street N.W.,
Washington, D.C., Chairperson Ruthanne Miller
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member

MICHAEL SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 (9:55 a.m.)

3 CHAIR MILLER: Next case is Case
4 number 14-CMP-00712, Legal Sea Foods located at
5 704 7th Street, Northwest, License number 60194
6 in ANC 2C.

7 MR. ADAMS: Good morning, Madam
8 Chairman. Walter Adams representing the District
9 of Columbia.

10 CHAIR MILLER: Good morning.

11 MR. FONSECA: Good morning, Members of
12 the Board. Michael Fonseca on behalf of the
13 Licensee.

14 MR. FLANAGAN: Good morning, Scott
15 Flanagan, Regional Vice President of Operations
16 for Legal Sea Foods.

17 CHAIR MILLER: Good morning. Mr.
18 Fonseca, did your client receive notice of this
19 hearing?

20 MR. FONSECA: They have. And Mr.
21 Flanagan has read it, understands it. We've also
22 had corporate legal representatives, having

1 received copies, and are in concurrence on the
2 action that we'll be taking this morning.

3 CHAIR MILLER: Okay, great. And this
4 --

5 MR. FONSECA: We waive reading.

6 CHAIR MILLER: Okay, good. All right,
7 Mr. Adams, are there some preliminary matters in
8 this case?

9 MR. ADAMS: Yes, there is a
10 preliminary matter in this hearing. The parties
11 have discussed the case and would like to propose
12 an offer in compromise for the Board's approval.

13 In this matter, there is a single
14 charge for the establishment not having a Board
15 approved manager or owner at the establishment
16 while it's open and operating.

17 In this case, this would be the
18 establishment's second secondary tier offense
19 within, I believe, a two year period. So we
20 propose a fine of \$750 to be payable within a 30
21 day period. And if the establishment fails to
22 pay within that period, the license would be

1 suspended until payment is made.

2 MR. FONSECA: If we may, we'll
3 represent that the fine will be paid today.

4 CHAIR MILLER: Great, okay. Okay, so
5 Mr. Fonseca, your client's agreeable to a fine of
6 \$750 to be paid today?

7 MR. FONSECA: That's correct.

8 CHAIR MILLER: And he, or the
9 establishment realizes that they waive their
10 right to a hearing and their right to appeal?

11 MR. FONSECA: Yes.

12 CHAIR MILLER: Okay. Any questions?
13 Okay. Then I move that we approve this offer in
14 compromise of a penalty of \$750 to be paid today.
15 If for some reason it's not paid, though, within
16 30 days, the license will be suspended.

17 MEMBER SHORT: Second.

18 CHAIR MILLER: Okay, Mr, Short has
19 seconded the motion. All those in favor, say
20 aye.

21 (Chorus of ayes)

22 CHAIR MILLER: All those opposed?

1 (No response)

2 CHAIR MILLER: All those abstaining?

3 (No response)

4 CHAIR MILLER: Motion passes six,

5 zero, zero. Thank you very much.

6 MR. FLANAGAN: Thank you very much.

7 (Whereupon, the hearing in the above-

8 entitled matter was concluded at 9:58 a.m.)

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